

IN THE SUPREME COURT OF THE STATE OF DELAWARE

WAYNE E. SCHWARTZKOPF,
Administrator of the Estate of
ELSIE M. SCHWARTZKOPF,
deceased, and WAYNE E.
SCHWARTZKOPF, individually
and in his own right,

Plaintiffs Below,
Appellants,

V.

CHARLES A. ESHAM, M.D., and
WILMINGTON MEDICAL
ASSOCIATES, P.A.,

Defendants Below,
Appellees.

No. 82, 2004

Court Below: Superior Court
of the State of Delaware
in and for New Castle County
C.A. No. 02C-07-064

Submitted: February 2, 2005
Decided: February 3, 2005

Before **STEELE**, Chief Justice, **HOLLAND** and **BERGER**, Justices.

ORDER

This 3rd day of February, 2005, the Court, having considered this matter on the arguments and briefs of the parties, and having concluded that the same should be affirmed on the basis of and for the reasons assigned by the Superior Court in its opinion dated February 2, 2004, and order dated February 9, 2004;

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment of the
Superior Court be, and the same hereby is

AFFIRMED.

BY THE COURT:

/s/ Carolyn Berger
Justice